

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

WILLIAM ROUSER,

Plaintiff,

v.

S. GYLES, et al.,

Defendants.

No. 2:21-cv-01396-DJC-JDP (PC)

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On September 15, 2023, the Court denied plaintiff's application for leave to proceed in forma pauperis because plaintiff is a three-strikers litigant within the meaning of 28 U.S.C. § 1915(g). ECF No. 40. Plaintiff was granted twenty-one days in which to pay the \$402 filing fee for this action and warned that failure to timely submit the fee would result in dismissal of this action. *Id.* Plaintiff has not paid the filing fee, and the allotted time has passed.

Accordingly, IT IS HEREBY ORDERED that:

1. This action is dismissed without prejudice for failure to pay the filing fee; and

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1 2. The Clerk of Court is directed to close the case.

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3 IT IS SO ORDERED.

4 Dated: **November 17, 2023**


Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE